

**EXHIBIT 20**

**Deposition of Gayle DeVecchia**

GAYLE ANN DELVECCHIA

November 18, 2019

Page 1

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

3 CASE NO. 2:19-CV-01322-KJD-NJK

4 PETER DELVECCHIA, individually and  
5 as next friend of A.D., a minor,

6 Plaintiffs,

7 vs.

8 FRONTIER AIRLINES, INC. and JOHN DOES  
1 through 5, inclusive,

9 Defendants.

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12  
13 Videotaped Deposition of

14 GAYLE ANN DELVECCHIA

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16 (Taken by Plaintiffs)

17 Raleigh, North Carolina

18 Monday, November 18, 2019

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22  
23 Reported in Stenotype By:

Denise Y. Meek

24 Court Reporter and Notary Public

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<p style="text-align: right;">Page 2</p> <p>1 APPEARANCES</p> <p>2</p> <p>3 FOR THE PLAINTIFFS:</p> <p>4 JOHN D. McKAY, ESQ.</p> <p>5 Park Avenue Law</p> <p>6 127 West Fairbanks Avenue, Suite 519</p> <p>7 Winter Park, FL 32789</p> <p>8 800-391-3654</p> <p>9 parkavelaw@gmail.com</p> <p>10</p> <p>11 FOR THE DEFENDANTS:</p> <p>12 TARA SHELKE, ESQ.</p> <p>13 Adler Murphy &amp; McQuillen, LLP</p> <p>14 20 South Clark Street, Suite 2500</p> <p>15 Chicago, IL 60603</p> <p>16 312-345-0700</p> <p>17 tshelke@amm-law.com</p> <p>18</p> <p>19 ALSO PRESENT:</p> <p>20 DILLON TYNDALL, Videographer</p> <p>21</p> <p>22 Videotaped Deposition of GAYLE ANN</p> <p>23 DELVECCHIA, a witness called on behalf of the</p> <p>24 Defendants, before Denise Y. Meek, Court Reporter</p> <p>and Notary Public, in and for the State of</p> <p>North Carolina, at Smith Anderson Blount Dorsett</p> <p>Mitchell &amp; Jernigan, LLP, 150 Fayetteville Street,</p> <p>Suite 2300, Raleigh, North Carolina, on Monday,</p> <p>November 18, 2019, commencing at 8:07 a.m.</p>	<p style="text-align: right;">Page 4</p> <p>1 - - -</p> <p>2 THE VIDEOGRAPHER: We are now on the</p> <p>3 record.</p> <p>4 This is the beginning of media unit</p> <p>5 number one, in the deposition of</p> <p>6 Gayle DelVecchia, in the matter of</p> <p>7 Peter DelVecchia v. Frontier Airlines,</p> <p>8 Inc., et al., case number</p> <p>9 2:19-CV-01322-KJD-NJK.</p> <p>10 Today's date is November 18, 2019. The</p> <p>11 time is 8:07 a.m.</p> <p>12 My name is Dillon Tyndall, the</p> <p>13 videographer. The court reporter is</p> <p>14 Denise Meek. We are here with U.S. Legal</p> <p>15 Support.</p> <p>16 Will all counsel please identify</p> <p>17 themselves for the record. Afterwards, the</p> <p>18 court reporter may swear in the witness.</p> <p>19 MR. MCKAY: I'm John McKay. I'm here</p> <p>20 representing the plaintiffs.</p> <p>21 MS. SHELKE: Tara Shelke on behalf of</p> <p>22 defendant Frontier Airlines.</p> <p>23 THE REPORTER: Please raise your right</p> <p>24 hand.</p>
<p style="text-align: right;">Page 3</p> <p>1 INDEX OF EXAMINATIONS</p> <p>2</p> <p>3 GAYLE ANN DELVECCHIA</p> <p>4 By Ms. Shelke</p> <p>5</p> <p>6</p> <p>7 INDEX OF EXHIBITS</p> <p>8 (NONE)</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>	<p style="text-align: right;">Page 5</p> <p>1 Do you solemnly swear the testimony you</p> <p>2 will give in this matter will be the truth,</p> <p>3 the whole truth, and nothing but the truth,</p> <p>4 so help you God?</p> <p>5 THE WITNESS: I do.</p> <p>6 THE REPORTER: Thank you.</p> <p>7 - - -</p> <p>8 GAYLE ANN DELVECCHIA,</p> <p>9 having been first duly sworn,</p> <p>10 was examined and testified as follows:</p> <p>11 EXAMINATION</p> <p>12 BY MS. SHELKE:</p> <p>13 Q. Would you state your full name, please.</p> <p>14 A. Gayle Ann DelVecchia.</p> <p>15 Q. Is that Ann with an E?</p> <p>16 A. A-N-N.</p> <p>17 Q. Let the record reflect that this is the</p> <p>18 deposition of Gayle Ann DelVecchia, taken</p> <p>19 pursuant to subpoena and set for today's date</p> <p>20 by agreement of the parties.</p> <p>21 This deposition shall be conducted in</p> <p>22 accordance with the Federal Rules of Civil</p> <p>23 Procedure and all applicable rules of the</p> <p>24 United States District Court for the District</p>

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<p style="text-align: right;">Page 6</p> <p>1 of Nevada.</p> <p>2 Gayle, my name is Tara Shelke. I</p> <p>3 represent the defendant, Frontier Airlines,</p> <p>4 Inc., in a lawsuit filed by Peter DelVecchia</p> <p>5 and his son A.D.</p> <p>6 Do you know Peter DelVecchia?</p> <p>7 A. I do. He is my father.</p> <p>8 Q. And Peter has a son, correct?</p> <p>9 A. That is correct.</p> <p>10 Q. We're going to go off the record in</p> <p>11 just a moment, and will you tell me Peter's</p> <p>12 son's full name, please.</p> <p>13 MS. SHELKE: We'll go off the record.</p> <p>14 THE VIDEOGRAPHER: We are now off the</p> <p>15 record. The time is 8:08 a.m.</p> <p>16 (Off the record.)</p> <p>17 MS. SHELKE: Back on the record.</p> <p>18 THE VIDEOGRAPHER: We are back on the</p> <p>19 record. The time is 8:08 a.m.</p> <p>20 BY MS. SHELKE:</p> <p>21 Q. Gayle, while we were off the record,</p> <p>22 you gave me the full name of Peter's son. If I</p> <p>23 refer to him as A.D. during this deposition,</p> <p>24 will you know who I mean?</p>	<p style="text-align: right;">Page 8</p> <p>1 it differently or rephrase it. But if I ask</p> <p>2 you a question, and you answer, I'm going to</p> <p>3 assume you understood the question.</p> <p>4 Is that fair?</p> <p>5 A. Yes.</p> <p>6 Q. Finally, if you need to take a break at</p> <p>7 any time, just let us know, and we can do that.</p> <p>8 I'll only ask that if there is a question</p> <p>9 pending, you answer the question before we take</p> <p>10 a break. Okay?</p> <p>11 A. Yes.</p> <p>12 Q. Mr. McKay over here represents Peter</p> <p>13 and A.D.</p> <p>14 Do you know John?</p> <p>15 A. Yes.</p> <p>16 Q. When was the first time you met John?</p> <p>17 A. Yesterday.</p> <p>18 Q. How long did you meet with John</p> <p>19 yesterday?</p> <p>20 A. About four or five hours.</p> <p>21 Q. And what did you discuss with John</p> <p>22 during those four or five hours?</p> <p>23 A. How to properly prepare for a</p> <p>24 deposition and what a deposition is.</p>
<p style="text-align: right;">Page 7</p> <p>1 A. Yes.</p> <p>2 Q. And Peter only has one son, correct?</p> <p>3 A. That is correct.</p> <p>4 Q. Have you ever given a deposition</p> <p>5 before?</p> <p>6 A. No.</p> <p>7 Q. Okay. Just a few things to keep in</p> <p>8 mind through this deposition.</p> <p>9 The first is that we have a court</p> <p>10 reporter taking down everything that we say</p> <p>11 today. She can only record one of us speaking</p> <p>12 at a time. So wait for me to finish my</p> <p>13 question before you answer, and then I'll be</p> <p>14 sure to wait for you to finish your answer</p> <p>15 before I ask another question. Okay?</p> <p>16 A. Uh-huh.</p> <p>17 Q. The second is that your answers need to</p> <p>18 be verbal, "yes" or "no." "I don't know" is a</p> <p>19 fair response as well. But when you say</p> <p>20 "uh-huh" or "uh-uh," the court reporter can't</p> <p>21 really take that down. Okay?</p> <p>22 A. Yes.</p> <p>23 Q. Third, if I ask you a question, and you</p> <p>24 do not understand, let me know, and I can ask</p>	<p style="text-align: right;">Page 9</p> <p>1 Q. And what did he tell you with respect</p> <p>2 to preparing for the deposition?</p> <p>3 A. To answer the questions as best as I</p> <p>4 can. If I need to pause and think about it, do</p> <p>5 that before answering the question, because it</p> <p>6 is on record. That's about it.</p> <p>7 Q. Did he tell you anything about the</p> <p>8 case?</p> <p>9 A. Yes.</p> <p>10 Q. What did he tell you?</p> <p>11 A. Sorry.</p> <p>12 MR. MCKAY: Counsel, I'm going to have</p> <p>13 to object to anything that would get</p> <p>14 into -- I mean, I do represent the family.</p> <p>15 So Gayle is a member of the family. So at</p> <p>16 some point we're going to be crossing into</p> <p>17 attorney-client privilege, and I would</p> <p>18 object to questions along those lines.</p> <p>19 MS. SHELKE: Okay. But the named</p> <p>20 plaintiffs in this case are only Peter and</p> <p>21 A.D., correct?</p> <p>22 MR. MCKAY: That's right, but that</p> <p>23 doesn't mean I don't represent other</p> <p>24 members of the family as well.</p>

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<p style="text-align: right;">Page 10</p> <p>1 MS. SHELKE: Okay.</p> <p>2 BY MS. SHELKE:</p> <p>3 Q. Did John show you any documents during</p> <p>4 your meeting yesterday?</p> <p>5 A. No.</p> <p>6 Q. Was that the first time that you had</p> <p>7 met John, yesterday?</p> <p>8 A. Yes.</p> <p>9 Q. Before meeting with John yesterday, had</p> <p>10 you spoken with him over the telephone?</p> <p>11 A. No.</p> <p>12 Q. Who all were present for the meeting?</p> <p>13 A. Peter and A.D.</p> <p>14 Q. Was Amanda present?</p> <p>15 A. She was not, but she was telephoned in.</p> <p>16 Q. Did she telephone in for the entire</p> <p>17 four to five hours?</p> <p>18 A. Yes.</p> <p>19 Q. Did you speak with Peter about your</p> <p>20 deposition?</p> <p>21 A. No.</p> <p>22 Q. Did you speak with A.D. about your</p> <p>23 deposition?</p> <p>24 A. No.</p>	<p style="text-align: right;">Page 12</p> <p>1 how he handles things, but I could tell that</p> <p>2 this really broke him a lot.</p> <p>3 My brother would have nightmares and</p> <p>4 wake up screaming because of memories he would</p> <p>5 remember from this. And then just to hear my</p> <p>6 dad say that he doesn't feel comfortable now</p> <p>7 holding A.D.'s hand in public, because he's not</p> <p>8 sure what someone is going to accuse him of</p> <p>9 next.</p> <p>10 Q. Now, this lawsuit arises from an</p> <p>11 incident that occurred on March 28th of 2019,</p> <p>12 on board Frontier Flight 2067 from Raleigh to</p> <p>13 Las Vegas.</p> <p>14 Were you a passenger on that flight?</p> <p>15 A. I was not.</p> <p>16 Q. Did you go on the trip to Death Valley</p> <p>17 National Park with Peter and A.D. in March and</p> <p>18 April of 2019?</p> <p>19 A. No.</p> <p>20 Q. So it would be correct that any</p> <p>21 information or knowledge you have regarding</p> <p>22 that flight or the events that occurred on that</p> <p>23 flight is something you've learned through</p> <p>24 either Peter or A.D., correct?</p>
<p style="text-align: right;">Page 11</p> <p>1 Q. Are you familiar with the claims that</p> <p>2 Peter and A.D. are making in this lawsuit?</p> <p>3 A. Yes.</p> <p>4 Q. What do you understand the claims to</p> <p>5 be?</p> <p>6 A. Emotional injury for both Peter and</p> <p>7 A.D.</p> <p>8 MR. McKAY: Don't worry. It's not a</p> <p>9 quiz. It's whatever you remember or what</p> <p>10 you understand.</p> <p>11 A. I mean, there's a lot. Just, you know,</p> <p>12 everything that happened on that flight.</p> <p>13 Because after it happened, I did talk to Peter,</p> <p>14 who was very upset on his behalf and A.D.'s</p> <p>15 behalf. It was just very traumatizing for both</p> <p>16 of them.</p> <p>17 And after it happened, I was still</p> <p>18 living at home at the time, so I could see how</p> <p>19 their behaviors had changed towards each other</p> <p>20 and just in general towards the public and how</p> <p>21 they were too scared to have physical contact</p> <p>22 with each other, like hand-holding or hugging.</p> <p>23 Both of them are just very affectionate people,</p> <p>24 and I would say that my dad is very strong in</p>	<p style="text-align: right;">Page 13</p> <p>1 MR. McKAY: Objection to the form.</p> <p>2 BY MS. SHELKE:</p> <p>3 Q. You can still answer.</p> <p>4 A. Yes.</p> <p>5 Q. Apart from speaking with Peter and</p> <p>6 A.D., have you learned about the events that</p> <p>7 occurred on Flight 2067 from any other area, or</p> <p>8 any other person?</p> <p>9 A. No.</p> <p>10 Q. What is your date of birth?</p> <p>11 A. April 27, 1994.</p> <p>12 Q. And what are your parents' names?</p> <p>13 A. Peter John DelVecchia and Gay Tanwani</p> <p>14 DelVecchia.</p> <p>15 Q. You were adopted by Peter and Gay; is</p> <p>16 that correct?</p> <p>17 A. Yes.</p> <p>18 Q. When were you adopted?</p> <p>19 A. July 1995.</p> <p>20 Q. How many children do your parents have?</p> <p>21 A. Three.</p> <p>22 Q. What are their names? And you can</p> <p>23 refer to your brother as A.D.</p> <p>24 A. Amanda Gay DelVecchia and A.D.</p>

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<p style="text-align: right;">Page 14</p> <p>1 Q. Do you know how old A.D. was when he 2 was adopted?</p> <p>3 A. Two and a half, three.</p> <p>4 Q. Do you know where A.D. was adopted 5 from?</p> <p>6 A. Yes.</p> <p>7 Q. Where was he adopted from?</p> <p>8 A. Ethiopia.</p> <p>9 Q. Do you know how your parents came to 10 adopt A.D.?</p> <p>11 A. Yes, they went through an agency. At 12 the time, my mom was very sick, so we couldn't 13 travel to the country. So we had to, you know, 14 have someone escort him over. And they 15 found -- they had pictures. And they needed a 16 healthy child, just because of my mom's 17 illness. And so he was presented, and we went 18 over the documents.</p> <p>19 Q. How old were you when A.D. was adopted?</p> <p>20 A. Fifteen, sixteen.</p> <p>21 Q. You said your mom was sick. What kind 22 of an illness did she have?</p> <p>23 A. She had a liver disease and Budd-Chiari 24 syndrome.</p>	<p style="text-align: right;">Page 16</p> <p>1 Q. How long have you lived at that 2 address?</p> <p>3 A. Seven months.</p> <p>4 Q. Where does Peter live?</p> <p>5 A. 503 Governor Drive, Hillsborough, 6 North Carolina, 27278.</p> <p>7 Q. Who lives with Peter at that address in 8 Hillsborough?</p> <p>9 A. A.D.</p> <p>10 Q. Is that the house that you grew up in?</p> <p>11 A. When I moved to North Carolina, yes.</p> <p>12 Q. Where did you move to North Carolina 13 from?</p> <p>14 A. New York.</p> <p>15 Q. Do you remember when you moved from 16 New York?</p> <p>17 A. August 2006.</p> <p>18 Q. Where did you attend high school?</p> <p>19 A. Orange High School in Hillsborough, 20 North Carolina.</p> <p>21 Q. What year did you graduate high school?</p> <p>22 A. 2012.</p> <p>23 Q. Where did you attend college?</p> <p>24 A. I attended Durham Technical Community</p>
<p style="text-align: right;">Page 15</p> <p>1 Q. And your mom passed away; is that 2 correct?</p> <p>3 A. Uh-huh.</p> <p>4 Q. I'm sorry. When did that happen?</p> <p>5 A. July 2, 2014.</p> <p>6 Q. Do you know how old A.D. was when your 7 mom passed away?</p> <p>8 A. Seven.</p> <p>9 Q. And you would have been 20; is that 10 correct?</p> <p>11 A. Uh-huh.</p> <p>12 Q. Yes?</p> <p>13 MR. McKAY: You have to say "yes" or 14 "no."</p> <p>15 A. Yes. Sorry. And I'm pretty sure on 16 all these, but I'm kind of estimating with 17 dates.</p> <p>18 Q. That's fair. Thank you.</p> <p>19 A. Yeah.</p> <p>20 Q. What is your address?</p> <p>21 A. 503 Pebble Drive, Gibsonville, 22 North Carolina, 27249.</p> <p>23 Q. Who lives with you at that address?</p> <p>24 A. It's just me.</p>	<p style="text-align: right;">Page 17</p> <p>1 College from 2012 to 2014; and then 2 Elon University, and I graduated in 2017.</p> <p>3 Q. Did you receive an associate's degree 4 from Durham Tech?</p> <p>5 A. I did.</p> <p>6 Q. Was there a major associated with that?</p> <p>7 A. Uh-uh, just an associate's in arts 8 degree.</p> <p>9 Q. And what is your degree from 10 Elon University in?</p> <p>11 A. Elementary education.</p> <p>12 Q. Besides Durham Tech and 13 Elon University, have you attended any other 14 colleges or universities?</p> <p>15 A. No.</p> <p>16 Q. Do you have any further education 17 beyond your bachelor's degree?</p> <p>18 A. No.</p> <p>19 Q. Are you currently employed?</p> <p>20 A. Yes.</p> <p>21 Q. Where do you work?</p> <p>22 A. Orange County Sportsplex in 23 Hillsborough, North Carolina.</p> <p>24 Q. What do you do at Orange County</p>

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<p style="text-align: right;">Page 18</p> <p>1 Sportsplex?</p> <p>2 A. I'm the assistant director of</p> <p>3 children's programming. So I help create and</p> <p>4 manage our preschool program, after-school</p> <p>5 program, summer camp programs, and then</p> <p>6 school-year camp programs.</p> <p>7 Q. Is that a full-time position?</p> <p>8 A. It is.</p> <p>9 Q. And what is Orange -- did you say</p> <p>10 Orange County Sportsplex?</p> <p>11 A. Uh-huh.</p> <p>12 Q. What is that facility?</p> <p>13 A. It's a recreational facility. So</p> <p>14 there's a gym, basketball courts, ice rink, two</p> <p>15 recreational pools.</p> <p>16 Q. And as assistant director, do you have</p> <p>17 direct involvement with the children, or do you</p> <p>18 work more in an administrative role?</p> <p>19 A. Mostly administrative, but I do work</p> <p>20 with the kids when we have school-year camps</p> <p>21 and summer camp.</p> <p>22 Q. Has (redacted) -- sorry. Strike that.</p> <p>23 Has A.D. attended any camps at Orange</p> <p>24 County Sportsplex?</p>	<p style="text-align: right;">Page 20</p> <p>1 Q. How often do you see them?</p> <p>2 A. Once a year, maybe twice a year, if</p> <p>3 we're lucky.</p> <p>4 Q. When was the last time you saw them, if</p> <p>5 you recall?</p> <p>6 A. The last time I saw them was in</p> <p>7 September.</p> <p>8 Q. And what was that occasion?</p> <p>9 A. My grandfather's birthday.</p> <p>10 Q. Apart from the two sisters, does Peter</p> <p>11 have any other siblings?</p> <p>12 A. He does. He has two brothers.</p> <p>13 Q. Where do they live?</p> <p>14 A. I'm guessing, because we don't talk to</p> <p>15 them as much. One lives in Pennsylvania, and</p> <p>16 the other one in New York.</p> <p>17 Q. Do you know when the last time was that</p> <p>18 you saw either of them?</p> <p>19 A. One of them was in 2014; the other one</p> <p>20 maybe three years ago.</p> <p>21 Q. Do you have any grandparents on Peter's</p> <p>22 side?</p> <p>23 A. I do.</p> <p>24 Q. Who do you have?</p>
<p style="text-align: right;">Page 19</p> <p>1 A. Yes.</p> <p>2 Q. When did you start your position at</p> <p>3 Orange County Sportsplex?</p> <p>4 A. As an assistant director, or in</p> <p>5 general?</p> <p>6 Q. As an assistant director first.</p> <p>7 A. 2017.</p> <p>8 Q. And did you work there in any other</p> <p>9 capacity before you became assistant director?</p> <p>10 A. I did. I started in 2012 as a camp</p> <p>11 counselor/after-school counselor.</p> <p>12 Q. Since 2012, have you consistently</p> <p>13 worked at Orange County Sportsplex in some</p> <p>14 capacity or another?</p> <p>15 A. Yes.</p> <p>16 Q. Apart from Orange County Sportsplex, do</p> <p>17 you work anywhere else?</p> <p>18 A. No.</p> <p>19 Q. I understand that Peter has two</p> <p>20 sisters. Is that correct?</p> <p>21 A. Yes.</p> <p>22 Q. Where do they live?</p> <p>23 A. One lives in New Jersey, and the other</p> <p>24 one lives in New York.</p>	<p style="text-align: right;">Page 21</p> <p>1 A. My grandfather.</p> <p>2 Q. Where does he live?</p> <p>3 A. New Jersey, with my aunt.</p> <p>4 Q. And the last time you saw him would</p> <p>5 have been September of 2019?</p> <p>6 A. Yes.</p> <p>7 Q. What was that occasion that you saw him</p> <p>8 in September of 2019?</p> <p>9 A. For his 85th birthday.</p> <p>10 Q. Are you in touch with any family on</p> <p>11 your mother's side?</p> <p>12 A. Yes.</p> <p>13 Q. Who are you in touch with?</p> <p>14 A. My aunts.</p> <p>15 Q. Where do they live?</p> <p>16 A. Three of them live in California; one</p> <p>17 of them lives in New York.</p> <p>18 Q. When you say you're in touch with them,</p> <p>19 is that by phone calls? Emails? In person?</p> <p>20 A. We text, and then I see them in person</p> <p>21 when I can.</p> <p>22 Q. Do you know when the last time was that</p> <p>23 you saw your aunt in New York?</p> <p>24 A. She just visited. So, September.</p>

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<p style="text-align: right;">Page 22</p> <p>1 Q. What is her name, the aunt in New York?</p> <p>2 A. Sheela Tanwani.</p> <p>3 MR. McKAY: Could you spell that,</p> <p>4 please?</p> <p>5 THE WITNESS: First name or last name?</p> <p>6 MR. McKAY: No, the last name.</p> <p>7 THE WITNESS: T-A-N-W-A-N-I.</p> <p>8 MR. McKAY: Thank you.</p> <p>9 THE WITNESS: Uh-huh.</p> <p>10 BY MS. SHELKE:</p> <p>11 Q. When was the last time that you saw</p> <p>12 your three aunts in California?</p> <p>13 A. Asha came with Sheela in September.</p> <p>14 And then Rani and Padma, it may have been a</p> <p>15 year ago at Asha's daughter's wedding.</p> <p>16 Q. What is Asha's last name?</p> <p>17 A. Gidvani, G-I-D-V-A-N-I.</p> <p>18 Q. Apart from Peter and A.D., do you have</p> <p>19 any other family in North Carolina?</p> <p>20 A. No. Well, my sister lives half and</p> <p>21 half in North Carolina and then Colorado.</p> <p>22 Q. And your sister, referring to Amanda,</p> <p>23 correct?</p> <p>24 A. Yes.</p>	<p style="text-align: right;">Page 24</p> <p>1 Go ahead.</p> <p>2 A. Three to four times a week.</p> <p>3 Q. Do you always see them together?</p> <p>4 A. Yes.</p> <p>5 Q. And how do those occasions come about?</p> <p>6 A. Whether I stop by the house. My dad</p> <p>7 works out at the Sportsplex, so I'll see him.</p> <p>8 My brother does hockey at the Sportsplex. My</p> <p>9 brother does cross-country. So I'll see them</p> <p>10 at the meets or if I'm at the hockey game that</p> <p>11 my brother is at.</p> <p>12 Q. Do Peter or A.D. ever visit you at your</p> <p>13 house?</p> <p>14 A. Yes.</p> <p>15 Q. Apart from seeing Peter in person, do</p> <p>16 you speak with Peter on the telephone?</p> <p>17 A. Yes.</p> <p>18 Q. How often would you say you speak with</p> <p>19 him on the telephone?</p> <p>20 A. Almost every day.</p> <p>21 Q. Do you also text Peter?</p> <p>22 A. Yes.</p> <p>23 Q. How often would you say you text him?</p> <p>24 A. Every day.</p>
<p style="text-align: right;">Page 23</p> <p>1 Q. Does she have a home or a house here in</p> <p>2 North Carolina?</p> <p>3 A. Yes, that she rents.</p> <p>4 Q. Okay.</p> <p>5 A. I just don't know the address.</p> <p>6 Q. Okay. You mentioned that you were</p> <p>7 still living at home at the time of this</p> <p>8 incident, which was March of 2019.</p> <p>9 When did you move into your house?</p> <p>10 A. April 4, 2019.</p> <p>11 Q. So before April 4, 2019, when you lived</p> <p>12 in the house with Peter, it was you, Peter, and</p> <p>13 A.D., correct?</p> <p>14 A. Yes.</p> <p>15 Q. For the portion of the year that Amanda</p> <p>16 spends in North Carolina, was she also living</p> <p>17 with you in that house when you were living</p> <p>18 there?</p> <p>19 A. No.</p> <p>20 Q. Since you've moved out of Peter's house</p> <p>21 on April 4th of 2019, in an average week, how</p> <p>22 often do you see Peter or A.D.?</p> <p>23 MR. McKAY: Objection to the form of</p> <p>24 the question.</p>	<p style="text-align: right;">Page 25</p> <p>1 Q. And would this be true just about every</p> <p>2 day since April 4th of 2019?</p> <p>3 A. Yes.</p> <p>4 Q. Would this be true even prior to</p> <p>5 April 4th of 2019?</p> <p>6 A. Yes.</p> <p>7 Q. Does A.D. have a cell phone?</p> <p>8 A. He just recently got one.</p> <p>9 Q. Do you know how recently?</p> <p>10 A. He's had it no more than six months, if</p> <p>11 I had to guess.</p> <p>12 Q. Do you know if A.D. had a cell phone at</p> <p>13 the time of this incident, which was March 28th</p> <p>14 of 2019?</p> <p>15 A. I don't think so. I believe he just</p> <p>16 got it starting this school year.</p> <p>17 Q. Okay. And is that a smartphone with</p> <p>18 internet capability?</p> <p>19 A. Yes.</p> <p>20 Q. Apart from when you see A.D. in person,</p> <p>21 now that he has a cell phone, do you speak with</p> <p>22 him on the telephone?</p> <p>23 A. Occasionally.</p> <p>24 Q. Do you text with him?</p>



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<p style="text-align: right;">Page 26</p> <p>1 A. Yes.</p> <p>2 Q. How often would you -- do you text</p> <p>3 A.D.?</p> <p>4 A. Only once or twice a week, because he</p> <p>5 has school and sports commitments.</p> <p>6 Q. Do you and A.D. use any social media to</p> <p>7 connect?</p> <p>8 A. No.</p> <p>9 Q. Do you know if A.D. has Snapchat?</p> <p>10 A. He does.</p> <p>11 Q. Do you know if he has TikTok?</p> <p>12 A. He does not.</p> <p>13 Q. Do you know if he has Instagram?</p> <p>14 A. He does.</p> <p>15 Q. Do you know if he has Facebook?</p> <p>16 A. He does not.</p> <p>17 Q. How would you describe Peter as a</p> <p>18 father?</p> <p>19 A. He's a very loving father. He's great</p> <p>20 at advice-giving. We call each other our</p> <p>21 "rocks," with everything we've been through.</p> <p>22 He's been there for everything for me, at my</p> <p>23 highest points and my lowest points, and he</p> <p>24 still supports me, no matter what. You know,</p>	<p style="text-align: right;">Page 28</p> <p>1 behalf, but just interactions, yeah, yes.</p> <p>2 Q. And what is it about the interactions</p> <p>3 that led you to believe that it was hard on him</p> <p>4 when you moved out?</p> <p>5 A. Just when we would text, he would, you</p> <p>6 know, say, more so now, how much he misses me,</p> <p>7 because he doesn't see me every day. And then</p> <p>8 when we do see each other, like when I would</p> <p>9 have to leave, because now I have my own home,</p> <p>10 it was -- you know, the hugs get a little</p> <p>11 longer, and he's very more vocal about how he</p> <p>12 feels.</p> <p>13 Q. Did things change in any way in your</p> <p>14 relationship between you and Peter after your</p> <p>15 mom passed away?</p> <p>16 A. Yes, I would say we got closer. I</p> <p>17 would say that I played a major role in A.D.</p> <p>18 growing up. And I think, you know, I had to be</p> <p>19 strong for him, and he thought he had to be</p> <p>20 strong for me, because a lot of this revolves</p> <p>21 around my little brother, A.D. We just wanted</p> <p>22 to make sure he still had the best life he</p> <p>23 could have, with having his biological mom pass</p> <p>24 away, and then his adoptive mom passing away as</p>
<p style="text-align: right;">Page 27</p> <p>1 he's -- I was blessed that he adopted me. Both</p> <p>2 my parents gave me a better life. And most of</p> <p>3 my accomplishments, I owe to him, because he's</p> <p>4 the one that helped me get there, and he's</p> <p>5 never given up on me.</p> <p>6 Q. How would you describe the relationship</p> <p>7 that you have with Peter?</p> <p>8 A. I think we have a great relationship.</p> <p>9 It was very hard on both of us when I moved</p> <p>10 out, but I was 25, so it was time. When you go</p> <p>11 from seeing someone every day to not that</p> <p>12 often, it's very hard. That's why, you know,</p> <p>13 we text and call every day. I'm 25, but he'll</p> <p>14 still text me if I got home okay. It's a very</p> <p>15 jokingly fun relationship. We love to tease</p> <p>16 each other. It doesn't matter how old we are.</p> <p>17 It's just something that will never change.</p> <p>18 Q. You mentioned that moving out was hard.</p> <p>19 Was it hard on you when you moved out</p> <p>20 of the house?</p> <p>21 A. Yes.</p> <p>22 Q. Was it hard on Peter when you moved out</p> <p>23 of the house?</p> <p>24 A. I would say so. I can't speak on his</p>	<p style="text-align: right;">Page 29</p> <p>1 well.</p> <p>2 Q. You said you played a major role in</p> <p>3 A.D. growing up. Can you explain that a little</p> <p>4 more?</p> <p>5 A. So I was very excited. I've always</p> <p>6 wanted a younger sibling. And then in December</p> <p>7 of twenty -- I can't even think of the year --</p> <p>8 my mom went for a liver transplant, in</p> <p>9 Maryland, and it did not go well. She suffered</p> <p>10 a heart attack while they were closing up, and</p> <p>11 so they weren't prepared for it. So her brain</p> <p>12 was without oxygen for about 15 to 20 minutes,</p> <p>13 which left her in a vegetative state.</p> <p>14 And with my dad being in Maryland, I</p> <p>15 basically had to raise my brother for that</p> <p>16 year. He was only in first grade. I was still</p> <p>17 in school and working part-time. And then on</p> <p>18 the weekends, we would go up to Maryland to</p> <p>19 visit, but I made sure my role was to take care</p> <p>20 of him and that his life wasn't going to be</p> <p>21 shaken up too much by having to travel back</p> <p>22 and forth, not having Dad around, and then him</p> <p>23 understanding what was going on with Mom.</p> <p>24 Q. Was Amanda living in the house during</p>

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<p style="text-align: right;">Page 30</p> <p>1 this time that you just described?</p> <p>2 A. She was not.</p> <p>3 Q. Was there any other person living in</p> <p>4 the house with you and A.D. during this time</p> <p>5 that you just described?</p> <p>6 A. No.</p> <p>7 Q. What was Peter like after your mom</p> <p>8 passed away?</p> <p>9 A. I know inside, it hurt him a lot, but I</p> <p>10 think he put on a brave front, because he still</p> <p>11 had me to get through college, and then my</p> <p>12 brother, A.D., to help him through this. It</p> <p>13 was very tough on him. I mean, he lost his</p> <p>14 best friend. We all thought this was going to</p> <p>15 help my mom, and that she was going to live a</p> <p>16 happy, healthy life, because she had this</p> <p>17 sickness for 22 years.</p> <p>18 It was very hard to watch him, and</p> <p>19 there was nothing I could do, because I didn't</p> <p>20 understand him losing his wife versus me losing</p> <p>21 a mom. They're two totally different things,</p> <p>22 but at the same time, the same thing, because</p> <p>23 we both lost someone we love. But he just had</p> <p>24 to keep moving on. He still had to go to work</p>	<p style="text-align: right;">Page 32</p> <p>1 feels safe and comfortable. I'm the one that</p> <p>2 makes him his birthday cakes for his birthday</p> <p>3 or any event. I'm the one that makes his</p> <p>4 adoption day a big deal. He's really my best</p> <p>5 friend.</p> <p>6 Q. And have you and A.D. always shared</p> <p>7 that sort of a bond?</p> <p>8 A. Yes.</p> <p>9 Q. How would you describe your</p> <p>10 relationship with Amanda?</p> <p>11 A. I would say it's not as strong.</p> <p>12 Growing up, it was just the two of us, in</p> <p>13 New York, so we were closer then. But once we</p> <p>14 moved down here, and she went off to school,</p> <p>15 that's when our mom got sicker, so we weren't</p> <p>16 as close, because I was helping more around the</p> <p>17 house and doing things, and she was off at</p> <p>18 college and, I guess, trying to enjoy it, so...</p> <p>19 Q. How would you describe Peter's</p> <p>20 relationship with A.D.?</p> <p>21 A. They have a great relationship. I'm</p> <p>22 sometimes jealous, because, you know, it was us</p> <p>23 when I lived at home. But I'm glad that they</p> <p>24 have each other. I think that if they didn't,</p>
<p style="text-align: right;">Page 31</p> <p>1 every day to pay the bills. He still got me</p> <p>2 through school, and my brother through school.</p> <p>3 So I think he was very strong through it all.</p> <p>4 Q. Does Peter now have a girlfriend?</p> <p>5 A. Yes.</p> <p>6 Q. Have you met her?</p> <p>7 A. Yes.</p> <p>8 Q. How often do you see her?</p> <p>9 A. Not very often.</p> <p>10 Q. Does she ever come to the Sportsplex?</p> <p>11 A. She does.</p> <p>12 Q. Is she a member at the Sportsplex?</p> <p>13 A. She is.</p> <p>14 Q. How would you describe A.D. as a</p> <p>15 brother?</p> <p>16 A. For our age difference, I'd say that he</p> <p>17 is one of my closest friends. With everything</p> <p>18 he's been through, I just make sure that he has</p> <p>19 someone other than just Dad to count on. So I</p> <p>20 make sure I'm at every sporting event he has.</p> <p>21 I make sure that, you know, he knows he's loved</p> <p>22 and that nothing should change. That, you</p> <p>23 know, even though we don't have Mom, and his</p> <p>24 friends know that, they make sure that he still</p>	<p style="text-align: right;">Page 33</p> <p>1 and I had moved out, I would be worried about</p> <p>2 my dad more. But they have each other.</p> <p>3 They love doing the same things.</p> <p>4 Honestly, by him having a boy, I got out of the</p> <p>5 chores, outside chores, and hiking, because I</p> <p>6 don't enjoy hiking. It's like they're a duo</p> <p>7 partnership. They both love to hike. They</p> <p>8 love the adventure. And, honestly, for my</p> <p>9 brother being adopted, they have that same</p> <p>10 wittiness to them, you would think that my</p> <p>11 brother was just blood related. That's how</p> <p>12 close they are.</p> <p>13 And it's really great to see that --</p> <p>14 you know, people think that if you're adopted,</p> <p>15 you feel like an outsider. And though your</p> <p>16 parents are never going to make you feel like</p> <p>17 that, you know, because they love everyone the</p> <p>18 same, it's just something you feel. But I</p> <p>19 don't think my brother has ever felt that way.</p> <p>20 He's always felt like he's belonged. He jokes</p> <p>21 that he's the favorite son, which is true,</p> <p>22 because he's the only son. They just have a</p> <p>23 great relationship.</p> <p>24 Q. Apart from hiking, what are some things</p>

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<p style="text-align: right;">Page 34</p> <p>1 <b>that Peter and A.D. do together?</b></p> <p>2 A. They love going to Costco and eating</p> <p>3 the samples. Right now, their next project is</p> <p>4 getting a dog, because I took our family dog</p> <p>5 with me, because she was my Christmas gift. So</p> <p>6 A.D. is getting a dog for Christmas. A dog</p> <p>7 that he can take on hikes and just play with</p> <p>8 and will teach him some responsibility for</p> <p>9 being 12 years old. They enjoy hanging out</p> <p>10 with Dad's girlfriend and her children, because</p> <p>11 she has four children. And (redacted) always</p> <p>12 says that -- oops. Sorry.</p> <p>13 MS. SHELKE: Continue. We'll go ahead</p> <p>14 and strike it.</p> <p>15 A. She has four children. So they're</p> <p>16 like -- apart from one, the three others,</p> <p>17 they're like his younger siblings, because he</p> <p>18 never got that opportunity. Because he always</p> <p>19 jokes that he wishes my dad could make a new</p> <p>20 profile to be able to adopt more children. And</p> <p>21 my dad wishes he could, but he knows that since</p> <p>22 he's widowed and older, that it wouldn't be</p> <p>23 possible.</p> <p>24 And they just -- they just have a love</p>	<p style="text-align: right;">Page 36</p> <p>1 MS. SHELKE: Sounds good.</p> <p>2 MR. MCKAY: -- and replace it with A.D.</p> <p>3 THE REPORTER: I can. I can replace it</p> <p>4 with A.D.</p> <p>5 MR. MCKAY: Okay. Thanks.</p> <p>6 MS. SHELKE: Thank you.</p> <p>7 BY MS. SHELKE:</p> <p>8 <b>Q. Have you ever seen Peter touch A.D. in</b></p> <p>9 <b>a manner you would consider inappropriate?</b></p> <p>10 A. No.</p> <p>11 <b>Q. Has anybody ever told you that they</b></p> <p>12 <b>have seen Peter touch A.D. in a manner they</b></p> <p>13 <b>considered inappropriate?</b></p> <p>14 A. No.</p> <p>15 <b>Q. Have you and A.D. ever discussed the</b></p> <p>16 <b>commonality of being adopted?</b></p> <p>17 A. Oddly enough, we have not.</p> <p>18 <b>Q. You said that A.D. never felt like he</b></p> <p>19 <b>was an outsider even though he was adopted.</b></p> <p>20 <b>Can you tell me a little more about how</b></p> <p>21 <b>that conversation came to happen?</b></p> <p>22 A. I think for me, growing up -- just,</p> <p>23 everyone is different -- I kind of felt like an</p> <p>24 outsider. Nothing that my parents or sibling</p>
<p style="text-align: right;">Page 35</p> <p>1 for nature, whether it's hiking on long hikes</p> <p>2 out of the state or just going to our local</p> <p>3 park. Hockey is a big thing for them. I mean,</p> <p>4 my dad has never played hockey before, but</p> <p>5 he'll play street hockey with him, and he'll</p> <p>6 take him to the park so he can roller-blade and</p> <p>7 practice his stick-handling skills.</p> <p>8 He's just a very present dad with him,</p> <p>9 like he was with us. So it's -- you know,</p> <p>10 being younger and seeing that is different than</p> <p>11 being an adult and seeing that with him. And</p> <p>12 my dad has always loved children, so even, you</p> <p>13 know, though he's 56 years old, he'll still</p> <p>14 chase them around, and he'll still be faster</p> <p>15 than all of us. So it's just a true joy to see</p> <p>16 them together.</p> <p>17 <b>Q. Does A.D. know he's getting a dog for</b></p> <p>18 <b>Christmas?</b></p> <p>19 A. Yes.</p> <p>20 MS. SHELKE: And let the record reflect</p> <p>21 that the witness referred to the minor</p> <p>22 plaintiff by his full name. We will --</p> <p>23 MR. MCKAY: We can stipulate that we</p> <p>24 can remove that from the record --</p>	<p style="text-align: right;">Page 37</p> <p>1 did. It's just, you know, you see just how</p> <p>2 people react. And then -- so just to see him</p> <p>3 with my parents, or just my dad, and it just</p> <p>4 looks natural. It doesn't -- nothing -- you</p> <p>5 wouldn't think -- I mean, honestly, if it</p> <p>6 wasn't for the skin color, you would think he</p> <p>7 was a DelVecchia.</p> <p>8 <b>Q. Do you know if A.D. knows much about</b></p> <p>9 <b>his biological family?</b></p> <p>10 A. I think the only thing he really knows</p> <p>11 is that his biological mom passed away, and he</p> <p>12 was the youngest of his siblings, and I guess</p> <p>13 the father couldn't take care of all of them</p> <p>14 after the mom had passed, so he was given up</p> <p>15 for adoption. And I think he had a few</p> <p>16 siblings. I think that's all he really knows.</p> <p>17 <b>Q. Do you know if A.D. suffers from any</b></p> <p>18 <b>feelings of abandonment with respect to being</b></p> <p>19 <b>given up for adoption by his biological family?</b></p> <p>20 A. No, he does not.</p> <p>21 <b>Q. Has he told you that?</b></p> <p>22 A. No.</p> <p>23 <b>Q. It's something that you have inferred</b></p> <p>24 <b>based on what you've seen over the years?</b></p>

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<p style="text-align: right;">Page 38</p> <p>1 A. Yes.</p> <p>2 Q. Do you know if A.D. has experienced any</p> <p>3 emotional issues such as depression or anxiety</p> <p>4 with respect to being adopted?</p> <p>5 A. No, he has not.</p> <p>6 Q. Is this something he's told you?</p> <p>7 A. No.</p> <p>8 Q. It's something you have inferred?</p> <p>9 A. Yes.</p> <p>10 Q. With respect to being adopted, has A.D.</p> <p>11 ever suffered from nightmares or feelings of</p> <p>12 isolation?</p> <p>13 A. If my memory serves correctly, yes,</p> <p>14 when he was first adopted.</p> <p>15 Q. Do you recall how long those nightmares</p> <p>16 lasted?</p> <p>17 A. Maybe a year or so. And that's not</p> <p>18 seeing it personally, just from what my parents</p> <p>19 told me, him having to run into their room at</p> <p>20 night.</p> <p>21 Q. And the issue of A.D. having to run</p> <p>22 into his parents' room at night related to his</p> <p>23 feelings about being adopted subsided or ceased</p> <p>24 at some point?</p>	<p style="text-align: right;">Page 40</p> <p>1 MS. SHELKE: I'm sorry. Off the</p> <p>2 record. My mic seems to have come apart.</p> <p>3 THE VIDEOGRAPHER: We are off the</p> <p>4 record. The time is 8:45 a.m.</p> <p>5 (Off the record.)</p> <p>6 THE VIDEOGRAPHER: We are back on the</p> <p>7 record. The time is 8:46 a.m.</p> <p>8 BY MS. SHELKE:</p> <p>9 Q. Do you know if A.D. experienced any</p> <p>10 emotional issues after your mom passed away?</p> <p>11 A. I don't want to speak on his behalf,</p> <p>12 but I'm sure he did. He just didn't really</p> <p>13 talk about it with me. I'm sure he talked to</p> <p>14 our dad about it. But we all handle it</p> <p>15 differently.</p> <p>16 Q. Since you were still in the house at</p> <p>17 that time, and primarily responsible for A.D.'s</p> <p>18 upbringing around the time your mom passed</p> <p>19 away, did A.D. suffer from nightmares during</p> <p>20 that time?</p> <p>21 A. I believe he did.</p> <p>22 Q. I understand that Peter and A.D. have</p> <p>23 been subjected to some very kind -- unkind</p> <p>24 acts, at least as pertaining to their</p>
<p style="text-align: right;">Page 39</p> <p>1 A. Yes.</p> <p>2 Q. Do you know if A.D. was ever in</p> <p>3 counseling or other treatment with respect to</p> <p>4 being adopted?</p> <p>5 A. I know he sees a therapist. It's for a</p> <p>6 wide variety of reasons. So I could not say</p> <p>7 yes or no if one of those at the beginning was</p> <p>8 for being adopted.</p> <p>9 Q. You said that A.D. sees a therapist.</p> <p>10 Do you know when he started seeing a therapist?</p> <p>11 A. I do not.</p> <p>12 Q. Would it be a fair statement that A.D.</p> <p>13 has always seen a therapist?</p> <p>14 MR. McKAY: Objection to the form.</p> <p>15 A. I would say no.</p> <p>16 Q. Do you know if A.D. was seeing a</p> <p>17 therapist before your mom passed away?</p> <p>18 A. I do not remember, but I don't think he</p> <p>19 was. I think after my mom had passed, that's</p> <p>20 when he started seeing a therapist.</p> <p>21 Q. After your mom passed away, do you know</p> <p>22 if A.D. had any feelings of abandonment with</p> <p>23 respect to that issue?</p> <p>24 A. I do not.</p>	<p style="text-align: right;">Page 41</p> <p>1 relationship.</p> <p>2 Have you ever witnessed any of these</p> <p>3 acts?</p> <p>4 A. Together, or could it be separate? Or</p> <p>5 are you just looking for together?</p> <p>6 Q. We'll do, first, together.</p> <p>7 A. They get a lot of staring at them. I</p> <p>8 mean, we are in the South. But, I mean, I</p> <p>9 didn't really think that it would still go on.</p> <p>10 I thought people would embrace it, that my</p> <p>11 parents did such a wonderful thing, adopting a</p> <p>12 child. But at restaurants, stores, they would</p> <p>13 just get looks at them.</p> <p>14 And then, just my brother, I saw it</p> <p>15 firsthand with hockey. On the ice, there were</p> <p>16 some racial slurs. And then even the parents</p> <p>17 have said some things, on the other team. One</p> <p>18 of them was at a hockey tournament. And</p> <p>19 then -- I guess people just didn't believe my</p> <p>20 brother that things were said, and they were</p> <p>21 from, you know, Caucasian players. And even</p> <p>22 the coach had said something, that I can't</p> <p>23 remember, but it was just very dismissive</p> <p>24 towards my brother.</p>

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<p style="text-align: right;">Page 42</p> <p>1 Q. So the coach said something that was</p> <p>2 dismissive, not something that was racially</p> <p>3 animus?</p> <p>4 MR. McKAY: Objection to the form.</p> <p>5 A. The team -- the other teammate -- the</p> <p>6 other player on the other team had said</p> <p>7 something racial to (redacted) -- to A.D. --</p> <p>8 sorry -- and when the coach was told, he was</p> <p>9 just dismissive about the whole thing. Either</p> <p>10 he didn't believe it or he just didn't care.</p> <p>11 Q. How did that make A.D. feel, if you</p> <p>12 know?</p> <p>13 A. He was very angry. He loves hockey,</p> <p>14 and this is the way hockey was turning for a</p> <p>15 bit. I think he was more upset that no one</p> <p>16 believed him out there. And I can't speak on</p> <p>17 his behalf, because I've never been called the</p> <p>18 N-word, but my brother doesn't get upset about</p> <p>19 many things, and I could tell that this had</p> <p>20 really upset him.</p> <p>21 Q. Do you know if this incident at the</p> <p>22 hockey rink caused him to suffer any</p> <p>23 nightmares?</p> <p>24 A. I do not know.</p>	<p style="text-align: right;">Page 44</p> <p>1 A. Yes.</p> <p>2 Q. What did he say?</p> <p>3 A. He was very heated, which is</p> <p>4 understandable, because that's his son, just</p> <p>5 like anyone would do anything for their</p> <p>6 children. So it was just a lot of calming down</p> <p>7 and just trying to talk through it, because I</p> <p>8 didn't want him to do anything irrational,</p> <p>9 because we were at a kids' hockey tournament.</p> <p>10 And so he talked to A.D.'s coaches, so then</p> <p>11 they could talk to the other team's coaches,</p> <p>12 because we thought that would be a better plan</p> <p>13 of action.</p> <p>14 Q. Was there any resolution as a result of</p> <p>15 talking to the coaches?</p> <p>16 A. They said they would talk to each</p> <p>17 player and just -- in the locker room and say,</p> <p>18 "That's not something we do," and just talk</p> <p>19 about how to present yourselves, and conduct.</p> <p>20 And that was done on both sides, just to keep</p> <p>21 it fair.</p> <p>22 Q. Is (redacted) on more than one</p> <p>23 hockey -- I'm so sorry. Strike that.</p> <p>24 Is A.D. on more than one hockey team?</p>
<p style="text-align: right;">Page 43</p> <p>1 Q. The stares that you mentioned that</p> <p>2 Peter and A.D. get when they're out together at</p> <p>3 restaurants or stores, have you ever</p> <p>4 experienced something similar when you're out</p> <p>5 with the two of them?</p> <p>6 A. No.</p> <p>7 Q. Have you ever experienced something</p> <p>8 similar when it's just you and Peter?</p> <p>9 A. No.</p> <p>10 Q. Was Peter present for the incident at</p> <p>11 the hockey rink that you just discussed?</p> <p>12 A. Yes.</p> <p>13 Q. Did Peter call the police about that</p> <p>14 incident?</p> <p>15 A. No.</p> <p>16 Q. Did Peter make a formal complaint with</p> <p>17 the Sportsplex about that incident?</p> <p>18 A. It was not at Sportsplex. It was an</p> <p>19 out-of-town tournament. He tried to talk to</p> <p>20 the other team's coach, and the other team's</p> <p>21 coach kind of just walked away and was very</p> <p>22 dismissive towards him.</p> <p>23 Q. Did Peter discuss that incident with</p> <p>24 you afterwards?</p>	<p style="text-align: right;">Page 45</p> <p>1 A. He is not.</p> <p>2 Q. What is the name of the hockey team</p> <p>3 that he's on?</p> <p>4 A. NC Force.</p> <p>5 Q. Is there more than one coach for the</p> <p>6 NC Force hockey team?</p> <p>7 A. There is.</p> <p>8 Q. How many coaches?</p> <p>9 A. I think three.</p> <p>10 Q. Apart from this hockey tournament that</p> <p>11 we just discussed, and the stares that Peter</p> <p>12 and A.D. sometimes get when they're out and</p> <p>13 about, have you witnessed any other such</p> <p>14 incidents?</p> <p>15 A. I have not.</p> <p>16 Q. Not the incident that is the subject of</p> <p>17 this lawsuit, but I understand that Peter and</p> <p>18 A.D. experienced an issue in another airplane.</p> <p>19 Are you familiar with that?</p> <p>20 A. Yes.</p> <p>21 Q. Do you know when that was?</p> <p>22 A. I do not recall.</p> <p>23 Q. Do you know what airline it was?</p> <p>24 A. Delta.</p>

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<p style="text-align: right;">Page 46</p> <p>1       <b>Q. Do you know where Peter and A.D. were</b>  2 <b>going?</b>  3       A. I do not remember.  4       <b>Q. Do you know what exactly happened?</b>  5       A. I just remember that they were getting  6 off their flight, and there were either FBI or  7 police officers waiting for both of them to  8 question them. And the questions involved, you  9 know: Where are you going? Who are you --  10 what is your relationship to each other? I  11 believe Peter had to show them pictures of the  12 two of them together to show that that was his  13 son.  14       <b>Q. Do you know whether a lawsuit was filed</b>  15 <b>as a result of that incident?</b>  16       A. No, there was not one, just because  17 them being taken in for questioning, and then  18 it stopped there, versus the lawsuit that's  19 filed with Frontier, where it caused emotional  20 injury to both of them. They're still  21 traumatized by it. This one was much more in  22 depth than what it needed to be. And that's  23 just from what I've been told by A.D. and  24 Peter. There's just better ways that things</p>	<p style="text-align: right;">Page 48</p> <p>1 tough to hear.  2       I would say that my dad is one of the  3 strongest and toughest people I know. He  4 doesn't really speak about much, but he's been  5 very open about this. You know, he's worried  6 about my brother, whether it's in school --  7 after this incident, my brother was struggling  8 in school. And there is no one you can talk to  9 in school about this. I mean, I'm adopted, I'm  10 a different skin color, but he couldn't even  11 really talk to me about this, because I've  12 never endured anything like this before, and my  13 father is Caucasian, too, but it's just -- it's  14 a whole different meaning.  15       And it's really sad, because like I  16 said, they're both affectionate people. I  17 mean, I'm 25, and my dad is really affectionate  18 with me, still. And I don't even want him to  19 be affectionate to me in public, just because  20 of this whole ordeal, either, because I don't  21 want people accusing him of anything else.  22       <b>Q. You said A.D. is struggling in school.</b>  23 <b>Is that with respect to grades or from a social</b>  24 <b>aspect?</b></p>
<p style="text-align: right;">Page 47</p> <p>1 can be handled.  2       <b>Q. So as far as you know, the previous</b>  3 <b>incident on an airplane was not as significant</b>  4 <b>to either Peter or A.D.?</b>  5       A. That is true.  6       <b>Q. A.D. has experienced major events in</b>  7 <b>his life: an adoption, the passing of his</b>  8 <b>biological mom, the passing of his adoptive</b>  9 <b>mom.</b>  10       <b>Is there anything else that you would</b>  11 <b>classify as a major event in A.D.'s life?</b>  12       A. Yes.  13       MR. McKAY: Objection.  14       I'm sorry. Go ahead.  15       A. Yes, this whole ordeal that they had to  16 endure changed both of them. For my brother,  17 A.D., to say that he's scared, he doesn't feel  18 comfortable in public, just holding his  19 father's hand, because he doesn't want to be  20 taken away from him. For a 12-year-old boy to  21 have a grasp on that concept of, "I don't want  22 to be taken away from my father, because  23 someone thinks that just because we don't look  24 alike, we can't be related," is really hard and</p>	<p style="text-align: right;">Page 49</p> <p>1       A. He was struggling with grades and  2 behavior. I think he just didn't know how to  3 deal with all of this when it first happened.  4 And then I know he was going back to his  5 therapist to talk about it.  6       <b>Q. Have A.D.'s grades since improved?</b>  7       A. It's taken some work, but yes. I think  8 if he gets into a routine and gets back to a  9 normal life, which is kind of hard to do when  10 you have this lingering over your head, and the  11 support from dad at home, he has. His grades  12 have improved.  13       <b>Q. How about his behavior in school? Has</b>  14 <b>that improved?</b>  15       A. It's tough, but yes. None of us will  16 ever understand what he's going through. He's  17 been through so much. So to tack on one more  18 thing, that just will stay with him forever,  19 because it never goes away. His skin color  20 will never change, and learning how to deal  21 with that, because I know he doesn't talk to  22 people in school about it. I mean, he has  23 friends, but they don't understand what he's  24 going through. But, yeah.</p>



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<p style="text-align: right;">Page 50</p> <p>1 Q. How do you know that A.D. does not talk 2 to his friends at school about these issues?</p> <p>3 A. I've asked him. He rarely talks to me 4 about it. It's about like pulling teeth. But 5 he'll talk to Dad about it, and then Dad will 6 tell me, just to fill me in. And then he'll 7 ask, you know, if I could talk to him, because 8 it may mean something different coming from his 9 sister than his dad.</p> <p>10 Q. You mentioned that since this incident, 11 A.D. is scared when he's out and about in 12 public. Has he told that to you?</p> <p>13 A. Yes.</p> <p>14 Q. What did he say?</p> <p>15 A. That he can't trust people. He's not 16 sure what they're going to do. He doesn't feel 17 comfortable being affectionate to our dad, 18 holding his hand. He's afraid that he'll be 19 taken away again.</p> <p>20 Q. Before this incident, what was A.D. 21 like in school? Was he popular?</p> <p>22 A. Yes and no. I mean, there's different 23 varieties of being popular. I think he was 24 popular in a jock way, because he's</p>	<p style="text-align: right;">Page 52</p> <p>1 it. Our dad is a planner. So he had an 2 itinerary, a map of everything he was going to 3 do. He gets really excited about these sort of 4 things.</p> <p>5 Q. And what did you understand their trip 6 to be all about?</p> <p>7 A. Just the time to show A.D. new things. 8 They kind of use it as a learning experience, 9 too, about national parks and the environment, 10 as well as seeing how many miles they can hike 11 in a whole trip. That's a big thing for them. 12 And just the experience of being in a camper 13 van, and what that's like, and just guy stuff.</p> <p>14 Q. Did you speak with Peter on March 28th, 15 of 2019, before he boarded this flight?</p> <p>16 A. I'm sure I did. I just can't remember. 17 That's the time I was doing all my house stuff. 18 But we always talk, and we always say, you 19 know, "Text when you land or you're at your 20 destination," and I'm sure I said, "Have a safe 21 flight."</p> <p>22 Q. But no specific memory of any specific 23 conversation?</p> <p>24 A. No. That is correct.</p>
<p style="text-align: right;">Page 51</p> <p>1 athletically gifted. So I think by focusing on 2 that, he's tried to forget about what's 3 happened. But from what our dad has told us, 4 he's woken up with nightmares, screaming, and 5 then having to go into Dad's room, because he's 6 scared, because of this incident.</p> <p>7 Q. And has that affected his athletics in 8 school?</p> <p>9 A. No.</p> <p>10 Q. Would you say that A.D. has a lot of 11 friends at school?</p> <p>12 A. Yes.</p> <p>13 Q. What about on his sports teams? Is 14 A.D. a leader? Is he captain? A team player?</p> <p>15 A. I think he's a leader. In hockey, I 16 know that he's gone in the locker room to have 17 pep talks with the kids on his team. 18 Cross-country, not so much, because it's -- 19 it's a team sport, but it's still an 20 individualized sport. So it's kind of hard.</p> <p>21 Q. When did you first learn that Peter and 22 A.D. were taking a trip to Death Valley 23 National Park?</p> <p>24 A. Probably six months before they took</p>	<p style="text-align: right;">Page 53</p> <p>1 Q. And what do you understand happened on 2 this flight?</p> <p>3 A. I understand, from what I've been told, 4 that A.D. had tried to fall asleep, and my dad 5 was asleep, and then all of a sudden, a flight 6 attendant was banging on the back of my 7 father's head to wake him up.</p> <p>8 He told A.D. to get out of the seat and 9 come to the back of the plane. And he did as 10 he was told, because he was scared. He wasn't 11 sure what was going on, if it was something 12 with the flight or just...</p> <p>13 And that my dad woke up confused, not 14 really sure what was going on either. But he 15 stepped out of his seat so A.D. could move to 16 the back of the plane.</p> <p>17 He had to do this so quickly that he 18 didn't even have his shoes on. His shoes were 19 off. He just threw down his iPod on the chair, 20 and he just did what he was told, because he 21 didn't want to get into any -- he didn't want 22 to get into any trouble.</p> <p>23 And then he kind of figured it had to 24 do with the race thing. So he just figured</p>

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<p style="text-align: right;">Page 54</p> <p>1 that he should just be quiet and go to the 2 back, and that's where he was, and they were 3 separated for the remainder of the flight. 4 And the flight attendant said that, 5 "Your father was touching you in your crotch 6 region," and he kind of put his hand over to 7 demonstrate. And that made my brother very 8 uncomfortable, but he just put up with it, 9 because he didn't really have a choice. And 10 that he wasn't allowed to talk to Dad again. 11 And that another flight attendant had come to 12 sit there and wait until the flight was over. 13 And then the flight was over, and he 14 had to be the last one off the plane. And that 15 my dad was escorted off the plane without his 16 son. And that they were both questioned for 17 hours afterwards, after the flight. 18 <b>Q. When did you first learn that something</b> 19 <b>had happened on this flight?</b> 20 A. With the time difference, it was that 21 morning. I believe that Dad had texted me 22 saying that I may have to come out there to get 23 my brother, A.D., because he wasn't sure what 24 was going to happen.</p>	<p style="text-align: right;">Page 56</p> <p>1 <b>Q. Peter told you that a flight attendant</b> 2 <b>hit him on the back of the head; is that</b> 3 <b>correct?</b> 4 <b>A. Yes, multiple times.</b> 5 <b>Q. Do you know how many times?</b> 6 A. I do not. I just know that he said 7 multiple times, because he wasn't waking up. 8 <b>Q. Did Peter tell you if his head hurt the</b> 9 <b>following day when he spoke with you?</b> 10 A. I do not remember. 11 <b>Q. Did Peter tell you if he suffered any</b> 12 <b>injury to his head, such as a scratch? A</b> 13 <b>bruise? A contusion?</b> 14 A. I do not remember. 15 <b>Q. You talked about the flight attendant</b> 16 <b>touching A.D. Is that something you learned</b> 17 <b>from Peter telling you?</b> 18 A. Peter and A.D. Not so much touching, 19 just doing the gesture of where Peter's hand 20 was supposedly on A.D. 21 <b>Q. So the flight attendant did not</b> 22 <b>actually touch A.D. in that area? He only</b> 23 <b>demonstrated?</b> 24 A. Per what I was told from A.D. and</p>
<p style="text-align: right;">Page 55</p> <p>1 <b>Q. So at that point did you know much more</b> 2 <b>than you may have to go out to Las Vegas?</b> 3 A. No, I mean, he didn't go into details. 4 He couldn't. I think that was just the brief 5 moment he had to text. But with the time 6 difference, it was, I think, one or two in the 7 morning. So I didn't get it, and I had a few 8 missed phone calls the next morning. And I 9 called, and I think they had just gone to bed 10 at like five or six in the morning. So he 11 was -- I think I waited for him to wake up 12 before calling me to tell me everything that 13 had happened. 14 <b>Q. So then you would have spoken with</b> 15 <b>Peter the day after this incident, which was</b> 16 <b>March 29, 2019, correct?</b> 17 A. Yes. 18 <b>Q. And what you just told me you</b> 19 <b>understand happened on that flight, you learned</b> 20 <b>from Peter?</b> 21 A. Yes. 22 <b>Q. Did you also speak with A.D. that</b> 23 <b>following day?</b> 24 A. No.</p>	<p style="text-align: right;">Page 57</p> <p>1 Peter, yes. 2 <b>Q. Okay. This what you were told from</b> 3 <b>Peter and A.D., was that over the telephone, or</b> 4 <b>was that in person?</b> 5 A. I believe in person. 6 <b>Q. So this would have been later after</b> 7 <b>they returned home?</b> 8 A. Yes. 9 <b>Q. When you spoke with Peter, the day</b> 10 <b>after this incident, after he had gotten some</b> 11 <b>sleep, do you know how Peter was feeling?</b> 12 A. I do not remember. 13 <b>Q. Do you know if Peter was in any</b> 14 <b>physical pain?</b> 15 A. I do not remember. 16 <b>Q. Did you speak with A.D. that following</b> 17 <b>day after both he and Peter had gotten some</b> 18 <b>rest?</b> 19 A. Yes. 20 <b>Q. What did A.D. tell you?</b> 21 A. Nothing about the incident. That was 22 all from Peter. I didn't want to ask A.D. any 23 questions, because I -- from what Peter told 24 me, I knew it was traumatizing. I didn't want</p>



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<p style="text-align: right;">Page 58</p> <p>1 him to have to relive that. I just wanted them</p> <p>2 to be able to enjoy their trip. I just know</p> <p>3 that A.D. was very confused. He just did what</p> <p>4 he was told, because he didn't want to get into</p> <p>5 any trouble. And he had seen something like</p> <p>6 this before on the Delta flight, so he knew</p> <p>7 exactly what it was about. Yeah.</p> <p>8 Q. Did A.D. tell you that he was confused?</p> <p>9 A. No, Peter did.</p> <p>10 Q. Did A.D. tell you that he knew what was</p> <p>11 happening because of the prior incident on the</p> <p>12 Delta flight?</p> <p>13 A. Yes.</p> <p>14 Q. Did A.D. tell you that he was forced to</p> <p>15 remain in a different seat in the back of the</p> <p>16 plane?</p> <p>17 A. Yes.</p> <p>18 Q. Did A.D. tell you that he could not</p> <p>19 return to the seat next to Peter?</p> <p>20 A. Yes.</p> <p>21 Q. Did A.D. tell you that he asked to</p> <p>22 return to the seat next to Peter?</p> <p>23 A. Yes.</p> <p>24 Q. Did A.D. tell you how many times he</p>	<p style="text-align: right;">Page 60</p> <p>1 A. I think Dad's girlfriend did.</p> <p>2 Q. Does Peter ever park at the airport</p> <p>3 when he travels?</p> <p>4 A. Yes, but on long trips, I think either</p> <p>5 myself or someone will try to give him a lift</p> <p>6 so he doesn't have to pay that much for</p> <p>7 parking.</p> <p>8 Q. Do you recall when the first time was</p> <p>9 that you saw Peter and A.D. after they returned</p> <p>10 home from this trip?</p> <p>11 A. I think it was later on that day,</p> <p>12 because that was also the closing on my house.</p> <p>13 So I saw them briefly before that.</p> <p>14 Q. When you saw Peter that day, how was he</p> <p>15 feeling?</p> <p>16 A. I think he was tired. I mean, this was</p> <p>17 a while ago, now. So it's -- I don't want to</p> <p>18 say anything and it not be true, so...</p> <p>19 Q. Do you have any specific memory of</p> <p>20 Peter being in pain that first time you saw him</p> <p>21 after he returned home?</p> <p>22 A. I do not remember.</p> <p>23 Q. Do you know how A.D. was feeling that</p> <p>24 first time when you saw him after he returned</p>
<p style="text-align: right;">Page 59</p> <p>1 asked to return to the seat next to Peter?</p> <p>2 A. No.</p> <p>3 Q. Apart from Peter's impression that A.D.</p> <p>4 was confused as a result of this incident, do</p> <p>5 you know what effect this incident had on A.D.</p> <p>6 that first day when you spoke with them?</p> <p>7 A. No.</p> <p>8 Q. Did Peter and A.D. still continue with</p> <p>9 the remaining trip to Death Valley?</p> <p>10 A. Yes.</p> <p>11 Q. Did they modify their activities in any</p> <p>12 way?</p> <p>13 A. That, I do not know.</p> <p>14 Q. While Peter and A.D. were on their</p> <p>15 trip, after that first day, did you speak with</p> <p>16 them again?</p> <p>17 A. I don't believe I did. Reception,</p> <p>18 whenever they travel, is always spotty where</p> <p>19 they go.</p> <p>20 Q. Do you know if you would have picked up</p> <p>21 Peter and A.D. from the airport when they</p> <p>22 returned home?</p> <p>23 A. I did not.</p> <p>24 Q. Do you know who did?</p>	<p style="text-align: right;">Page 61</p> <p>1 home?</p> <p>2 A. No.</p> <p>3 Q. How did A.D. appear that day?</p> <p>4 A. I think they were both tired. I know</p> <p>5 we didn't talk about the incident, because I</p> <p>6 had someone else with me, and we just wanted to</p> <p>7 keep it a closed-circuit conversation.</p> <p>8 Q. So when you're referring to somebody</p> <p>9 else, somebody that you had with you, not your</p> <p>10 dad's girlfriend, correct?</p> <p>11 A. Yes.</p> <p>12 Q. For that month of April 2019 -- that's</p> <p>13 when Peter and A.D. have returned from this</p> <p>14 trip, and you have moved out of the house into</p> <p>15 your own house -- how often would you say you</p> <p>16 saw Peter and A.D.?</p> <p>17 A. Every other day.</p> <p>18 Q. Would that be at the Sportsplex?</p> <p>19 A. Either at the Sportsplex or at their</p> <p>20 home.</p> <p>21 Q. And would that be a normal amount that</p> <p>22 you would see them your first month out of the</p> <p>23 house?</p> <p>24 A. Yes.</p>

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<p style="text-align: right;">Page 62</p> <p>1 Q. Would A.D. speak with you more or less</p> <p>2 often during this first month after he returned</p> <p>3 home?</p> <p>4 A. I would say less often. He was a lot</p> <p>5 quieter.</p> <p>6 Q. Did it appear that he was sulking or</p> <p>7 brooding?</p> <p>8 A. No.</p> <p>9 Q. What would you attribute him being</p> <p>10 quiet to?</p> <p>11 A. I think he was still processing</p> <p>12 everything that had happened on the flight, per</p> <p>13 what I've talked to our father about. I didn't</p> <p>14 really want to talk to A.D. about it. I didn't</p> <p>15 want the memories to come back up. So I would</p> <p>16 mostly just talk to our dad about it. He and</p> <p>17 A.D. have a very open relationship with</p> <p>18 communication. So Dad would sometimes tell me</p> <p>19 something, if it was relevant, and maybe I</p> <p>20 could talk to A.D. about it.</p> <p>21 There was just a shift in his whole</p> <p>22 demeanor. He just seemed scared. He was more</p> <p>23 quiet, and for A.D., that's not a thing. And I</p> <p>24 think he was just still taking time to process</p>	<p style="text-align: right;">Page 64</p> <p>1 back to his normal self, and then other days,</p> <p>2 something may have reminded him. It just</p> <p>3 depended on the day.</p> <p>4 Q. How about since then, June and July,</p> <p>5 which would have been the summer months?</p> <p>6 A. It's kind of a blur. I do not know.</p> <p>7 Q. At any time since this incident, which</p> <p>8 occurred at the end of March 2019, has A.D.</p> <p>9 returned to his normal self?</p> <p>10 A. Not fully. I don't want to say he's</p> <p>11 colder, but he's just not as warm in public or</p> <p>12 at home.</p> <p>13 Q. And that's true with you as well as</p> <p>14 with Peter?</p> <p>15 A. Yes, but more so towards Peter. I</p> <p>16 mean, he thinks he's too cool for me, so that</p> <p>17 was always a thing. But just, with Peter, like</p> <p>18 I've mentioned, in public, I think he would</p> <p>19 just be angry. You know, he would see other</p> <p>20 parents and their children being affectionate.</p> <p>21 And I know he would ask Dad, he was like,</p> <p>22 "Well, how come when I do that, we get in</p> <p>23 trouble for it?" And that's just what -- from</p> <p>24 what Peter has told me. When I'm with them in</p>
<p style="text-align: right;">Page 63</p> <p>1 everything that had happened to him and Dad on</p> <p>2 the flight.</p> <p>3 Q. Do you know if A.D. began suffering</p> <p>4 nightmares after he returned home from this</p> <p>5 flight?</p> <p>6 A. I don't know if they were immediate,</p> <p>7 but I do know he did have nightmares from this.</p> <p>8 Dad had told me that he woke up screaming in</p> <p>9 the middle of the night, something about not</p> <p>10 wanting to be taken.</p> <p>11 Q. Do you know how long the nightmares</p> <p>12 lasted?</p> <p>13 A. I do not.</p> <p>14 Q. Do you know if they still occur?</p> <p>15 A. I do not.</p> <p>16 Q. You mentioned that A.D. was a lot</p> <p>17 quieter in the month after he returned from</p> <p>18 this trip.</p> <p>19 Did that continue on into the following</p> <p>20 month, which would be May of 2019?</p> <p>21 A. I think he started to lighten up again,</p> <p>22 but it was some touch-and-go.</p> <p>23 Q. What do you mean by "touch-and-go"?</p> <p>24 A. Some days he would be trying to get</p>	<p style="text-align: right;">Page 65</p> <p>1 public, it's the same thing, but I don't hear</p> <p>2 the comments that A.D. makes about it. It's</p> <p>3 just, they walk side by side, but they don't</p> <p>4 hold hands. Dad loves, you know, caressing his</p> <p>5 face, as a sign of affection, but he doesn't do</p> <p>6 that anymore, especially in public. They're</p> <p>7 both just scared. Neither one of them wants to</p> <p>8 be taken away from each other again. And this</p> <p>9 was a result because of this -- what had</p> <p>10 happened with Frontier.</p> <p>11 Q. Did your dad ever do that with you,</p> <p>12 caressing your face?</p> <p>13 A. Yes.</p> <p>14 Q. Does he still do it?</p> <p>15 A. At home. Not in public, though.</p> <p>16 Q. And you think that's as a result of</p> <p>17 this incident on Frontier Flight 2067?</p> <p>18 A. I do. Dad's not -- Dad doesn't talk</p> <p>19 that much, and neither do I. It's just not who</p> <p>20 we are. I think we just keep our emotions</p> <p>21 inside. But ever since this incident, Dad has</p> <p>22 been very vocal about the trauma he's endured,</p> <p>23 physically and emotionally, the trauma that</p> <p>24 (redacted) has endured.</p>

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<p style="text-align: right;">Page 66</p> <p>1 THE WITNESS: Sorry.</p> <p>2 MS. SHELKE: That's okay. We'll clean</p> <p>3 it up afterwards.</p> <p>4 THE WITNESS: It's hard.</p> <p>5 MR. MCKAY: Uh-huh.</p> <p>6 A. The trauma that A.D. has endured, how</p> <p>7 it's affected him socially, emotionally,</p> <p>8 school-wise. And it's just -- it's really</p> <p>9 difficult to see, because I know what kind of</p> <p>10 people they are. And for them to both fear</p> <p>11 that A.D. is going to be taken away at any</p> <p>12 moment, because people don't see it for what it</p> <p>13 is, and it's just affection and love towards</p> <p>14 each other, and that they think that just</p> <p>15 because our dad is a white Caucasian male with</p> <p>16 an African-American son, that something has to</p> <p>17 be going on there, it's really upsetting.</p> <p>18 Q. You mentioned that Peter is vocal about</p> <p>19 his physical injuries. What do you understand</p> <p>20 Peter's physical injuries to be as a result of</p> <p>21 this incident?</p> <p>22 A. With the hitting on the back of the</p> <p>23 head. He just -- he says he doesn't remember</p> <p>24 things as clearly anymore, and that his head</p>	<p style="text-align: right;">Page 68</p> <p>1 something, just because she's Dad's partner.</p> <p>2 I mean, I've talked to my boyfriend</p> <p>3 about it, but not in depth, because I know we</p> <p>4 weren't allowed to. Just that an incident</p> <p>5 happened, and that Dad was going forward with a</p> <p>6 lawsuit, but that was about it.</p> <p>7 And I don't know if Amanda has told</p> <p>8 anyone.</p> <p>9 Q. Do you know if your dad's sisters know</p> <p>10 about this incident?</p> <p>11 A. I believe Dad talked to Maureen about</p> <p>12 it. I'm not sure if he talked to Rita about</p> <p>13 it, though. And I don't know what exactly they</p> <p>14 talked about.</p> <p>15 Q. Are your dad and Maureen close, meaning</p> <p>16 they talk once a week or something like that?</p> <p>17 A. Yes.</p> <p>18 Q. Do you know if any of your aunts on</p> <p>19 your mom's side know anything about this?</p> <p>20 A. I don't think they do.</p> <p>21 Q. Do you know if any of A.D.'s friends at</p> <p>22 school know about this incident?</p> <p>23 A. I don't think they do.</p> <p>24 Q. Do you know if any neighbors or people</p>
<p style="text-align: right;">Page 67</p> <p>1 was pounding because of it. And it takes him a</p> <p>2 few minutes to put things together now. And</p> <p>3 Dad was always very sharp -- and I don't want</p> <p>4 to say it's because of old age -- he's not</p> <p>5 anymore. He was still very sharp. So it takes</p> <p>6 him a bit of time to put things together and</p> <p>7 remember things fully.</p> <p>8 Q. And that's something that you</p> <p>9 personally have experienced or noticed?</p> <p>10 A. Yes.</p> <p>11 Q. And you have noticed that since this</p> <p>12 incident?</p> <p>13 A. Yes.</p> <p>14 Q. And you attribute it to this incident?</p> <p>15 A. What do you mean I "attribute" it to</p> <p>16 this incident?</p> <p>17 Q. In your opinion, but for this incident,</p> <p>18 he would not suffer from these issues, such as</p> <p>19 failure to remember things clearly?</p> <p>20 A. Yes.</p> <p>21 Q. Who else knows about this incident</p> <p>22 apart from you, Amanda, A.D., and Peter?</p> <p>23 A. Dad's girlfriend. I don't know how</p> <p>24 much she knows, but I would assume she knows</p>	<p style="text-align: right;">Page 69</p> <p>1 at the Sportsplex know about this incident?</p> <p>2 A. My boss knows about it, just because I</p> <p>3 had to get approval to attend the deposition,</p> <p>4 and then that brings up questions, but just</p> <p>5 surface level things, not in depth.</p> <p>6 Q. Does your dad have a babysitter or an</p> <p>7 after-school sitter, or something like that,</p> <p>8 for A.D.?</p> <p>9 A. No, he works from home.</p> <p>10 Q. In this year, 2019, has Peter ever gone</p> <p>11 to work at an office?</p> <p>12 MR. MCKAY: I'm sorry. What was the</p> <p>13 question?</p> <p>14 MS. SHELKE: In this year, 2019, has</p> <p>15 Peter ever gone to work at an office?</p> <p>16 MR. MCKAY: Thank you.</p> <p>17 A. I know on his 55th birthday, which I</p> <p>18 guess is 2019, April, he had semiretired. He</p> <p>19 quit his job that he was at for a long time to</p> <p>20 work from home. With working from home, he</p> <p>21 would have to travel some to do presentations.</p> <p>22 But other than that, it's just solely been</p> <p>23 working from home.</p> <p>24 Q. Okay. So even though Peter's work</p>

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<p style="text-align: right;">Page 70</p> <p>1 schedule has required him to travel some for</p> <p>2 work, he does not have any after-school or</p> <p>3 after-care for A.D.?</p> <p>4 A. It's me.</p> <p>5 Q. Okay. Do you know if this incident has</p> <p>6 had any effect on Peter's reputation?</p> <p>7 A. I know at the start of this, he wanted</p> <p>8 it to be very quiet. He didn't want anyone to</p> <p>9 know. And once, I guess, it became public, it</p> <p>10 was all over the internet. He searched his</p> <p>11 name, and the top five articles were about this</p> <p>12 incident. And I don't know if it's personally</p> <p>13 affected his reputation, but I know that --</p> <p>14 because he sent me the articles. And I think</p> <p>15 it was just very disheartening for him to see</p> <p>16 this had come about. And he said that the</p> <p>17 reputation that he had worked so hard for, he</p> <p>18 feels like is diminishing because of it. I</p> <p>19 think all the headlines, you know, sex</p> <p>20 trafficking, A.D., a minor, it was just -- it</p> <p>21 was very hard to read.</p> <p>22 Q. Do you know if this incident has had</p> <p>23 any effect on A.D.'s reputation?</p> <p>24 A. I don't think so, because I don't think</p>	<p style="text-align: right;">Page 72</p> <p>1 used to pop up would just be his Facebook, his</p> <p>2 Instagram, where he used to work, but now</p> <p>3 that's like on page 2 or 3.</p> <p>4 Q. When was the last time you googled your</p> <p>5 dad?</p> <p>6 A. Whenever the first article was</p> <p>7 published, because he had emailed me like five</p> <p>8 links, and those were just the first five</p> <p>9 articles he saw. And then I googled his name</p> <p>10 just to see, and then I got all of them.</p> <p>11 Q. And do you recall if this occurrence of</p> <p>12 your dad emailing you about newspaper articles</p> <p>13 regarding this incident was before or after the</p> <p>14 lawsuit was filed?</p> <p>15 A. It would have had to have been after.</p> <p>16 Q. About a month after this incident, on</p> <p>17 May 1st of 2019, you and A.D. went to the</p> <p>18 movies and saw The Avengers. Do you remember</p> <p>19 that?</p> <p>20 A. Yes.</p> <p>21 Q. What was A.D. like at that time?</p> <p>22 A. I think he enjoyed getting out and just</p> <p>23 kind of forgetting everything school related,</p> <p>24 lawsuit related, just to have a good</p>
<p style="text-align: right;">Page 71</p> <p>1 many people in his school know, if any know.</p> <p>2 Q. Apart from the five or so articles that</p> <p>3 Peter sent to you about this incident, have you</p> <p>4 read any other news media articles about this</p> <p>5 incident?</p> <p>6 A. No.</p> <p>7 Q. Have you yourself searched for any news</p> <p>8 articles about this incident?</p> <p>9 A. I think I searched just "Peter</p> <p>10 DelVecchia," to see what came up, and then the</p> <p>11 first page was all about the lawsuit.</p> <p>12 Q. Would you say that this incident has</p> <p>13 become public knowledge?</p> <p>14 A. Yes, but not by Dad. It's just out</p> <p>15 there. He's a very private person. But it's</p> <p>16 out there for the world to see. Anyone that</p> <p>17 googles his name, that's the first thing that</p> <p>18 pops up about him.</p> <p>19 Q. So when you say "public knowledge," you</p> <p>20 mean if somebody were to google your dad,</p> <p>21 Peter DelVecchia, they would come to learn</p> <p>22 about this incident, correct?</p> <p>23 A. Yes. Because, I mean, everyone googles</p> <p>24 their name just to see what pops up. And what</p>	<p style="text-align: right;">Page 73</p> <p>1 brother/sister time.</p> <p>2 Q. Would you say that he was sad or</p> <p>3 depressed at that time?</p> <p>4 A. I don't think he was.</p> <p>5 Q. Did Peter go with you to the movies</p> <p>6 that day?</p> <p>7 A. No, he did not.</p> <p>8 Q. And then a couple months later, on</p> <p>9 July 30th of 2019, you went to Busch Gardens.</p> <p>10 Do you remember that?</p> <p>11 A. Yes.</p> <p>12 Q. Who all went to Busch Gardens?</p> <p>13 A. A.D., Peter, myself, and my boyfriend.</p> <p>14 Q. And how did that trip come about? Was</p> <p>15 it planned? Spur of the moment?</p> <p>16 A. I think it was like spur-of-the-moment</p> <p>17 planned for that day.</p> <p>18 Q. And what was A.D. like at that time?</p> <p>19 A. I think he enjoyed himself. He was</p> <p>20 having fun. But I think he was distant from</p> <p>21 our dad, because usually he'll just hold his</p> <p>22 hand, or just hug him the whole time, walking</p> <p>23 through the park, but he just kind of did his</p> <p>24 own thing.</p>

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<p style="text-align: right;">Page 74</p> <p>1 Q. And then about a month ago, on October</p> <p>2 6th of 2019, you guys went to a hockey game at</p> <p>3 PNC Arena; is that correct?</p> <p>4 A. Yes.</p> <p>5 Q. Who all went?</p> <p>6 A. A.D., myself, and my boyfriend.</p> <p>7 Q. Is that common, that about once a</p> <p>8 month, you hang out with A.D. and take him</p> <p>9 somewhere?</p> <p>10 A. No, that was for -- it was youth hockey</p> <p>11 night. And so you got to wear your hockey</p> <p>12 jersey to go -- I mean, I come over, and we</p> <p>13 hang out. I wouldn't really label it as like</p> <p>14 once a month that we actually go out, because I</p> <p>15 see him every weekend for his hockey games or</p> <p>16 every week for a cross-country meet.</p> <p>17 Q. And Peter was not present when you went</p> <p>18 to youth hockey night at PNC arena in October,</p> <p>19 correct?</p> <p>20 A. That is correct. He had just had</p> <p>21 surgery on his ankle.</p> <p>22 Q. Since Peter was not there at this</p> <p>23 particular event, the hockey game in</p> <p>24 October 2019, was A.D.'s behavior any different</p>	<p style="text-align: right;">Page 76</p> <p>1 medication as part of his therapy sessions?</p> <p>2 MR. McKAY: Objection to the form.</p> <p>3 A. I don't know if it was recommended from</p> <p>4 the therapist, but I know he's on ADHD</p> <p>5 medication.</p> <p>6 Q. Do you know if A.D. was diagnosed with</p> <p>7 ADHD before this incident that occurred in</p> <p>8 March of 2019?</p> <p>9 A. He was.</p> <p>10 Q. Do you know when he was diagnosed with</p> <p>11 ADHD?</p> <p>12 A. I do not recall.</p> <p>13 Q. Do you know if A.D. was taking ADHD</p> <p>14 medication prior to this event in March of</p> <p>15 2019?</p> <p>16 A. Yes, he was.</p> <p>17 Q. Apart from A.D.'s diagnosis of ADHD, do</p> <p>18 you have an understanding of any other</p> <p>19 diagnoses that he has with respect to his</p> <p>20 emotional or mental health?</p> <p>21 A. No.</p> <p>22 Q. As a result of the incident that</p> <p>23 occurred on the hockey team, did A.D. ever</p> <p>24 express to you that he wanted to quit hockey?</p>
<p style="text-align: right;">Page 75</p> <p>1 than, say, the visit to Busch Gardens?</p> <p>2 A. No, I think he enjoyed himself. I</p> <p>3 think my role as a sister was to get him out.</p> <p>4 Like I said, our dad had just had surgery, so I</p> <p>5 didn't want him to be cooped up at the house</p> <p>6 for all -- the whole weekend. I mean, he</p> <p>7 doesn't, you know, like I said, really talk to</p> <p>8 me. I have to hear it from Dad. So, for me,</p> <p>9 it's just -- not about, you know, having a</p> <p>10 one-on-one therapy conversation. Just trying</p> <p>11 to go about our normal activities. Getting him</p> <p>12 out of the house so he can enjoy his day. And</p> <p>13 then if he wants to talk, he can, but he</p> <p>14 doesn't really ever talk to me about things</p> <p>15 like that.</p> <p>16 Q. And that's been true both before and</p> <p>17 after this incident?</p> <p>18 A. Yes.</p> <p>19 Q. Do you know if A.D. continues to see</p> <p>20 his therapist?</p> <p>21 A. I believe so.</p> <p>22 Q. Do you know how often he goes?</p> <p>23 A. I do not.</p> <p>24 Q. Do you know if A.D. takes any</p>	<p style="text-align: right;">Page 77</p> <p>1 A. Not that he wanted to quit hockey, just</p> <p>2 that he was getting tired of being called the</p> <p>3 N-word on the ice by other players. But I</p> <p>4 don't think he would ever quit hockey.</p> <p>5 Q. Has anybody on A.D.'s own team referred</p> <p>6 to him in that manner?</p> <p>7 A. If memory serves correctly, I think</p> <p>8 before he was on this new team, jokingly, I</p> <p>9 think a player did, and then I think A.D. told</p> <p>10 our dad. Our dad had a conversation with that</p> <p>11 player's father, and that he handled it right</p> <p>12 then and there, and then that was the end of</p> <p>13 that.</p> <p>14 Q. Is A.D. the only African American or</p> <p>15 black player on his hockey team?</p> <p>16 A. Not on this new team, no.</p> <p>17 Q. Was he the only African American or</p> <p>18 black player on his old hockey team?</p> <p>19 A. Yes.</p> <p>20 Q. Are any of the coaches on A.D.'s</p> <p>21 current team black or African American?</p> <p>22 A. No.</p> <p>23 Q. Are all -- I think you said there were</p> <p>24 three coaches for this particular hockey team?</p>

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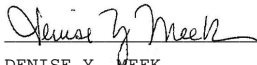
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<p style="text-align: right;">Page 78</p> <p>1 A. Uh-huh, yes.</p> <p>2 <b>Q. Are they all white or Caucasian?</b></p> <p>3 A. Yes.</p> <p>4 <b>Q. Is your dad's current girlfriend white</b></p> <p>5 <b>or Caucasian?</b></p> <p>6 A. Yes.</p> <p>7 MS. SHELKE: If I may have just one</p> <p>8 more minute.</p> <p>9 MR. McKAY: Uh-huh.</p> <p>10 (Brief pause.)</p> <p>11 BY MS. SHELKE:</p> <p>12 <b>Q. Do you know if A.D. is in touch with</b></p> <p>13 <b>any of his biological family in Ethiopia?</b></p> <p>14 A. They are not.</p> <p>15 <b>Q. Has A.D. tried to be in contact with</b></p> <p>16 <b>his biological family?</b></p> <p>17 A. Not too much in tried to be in touch,</p> <p>18 but just to know like a little bit more about</p> <p>19 them. And I think our dad's plan is, one day,</p> <p>20 to be able to take him to Ethiopia, either just</p> <p>21 to see where he's from, or to meet his siblings</p> <p>22 and his biological father.</p> <p>23 <b>Q. Before this incident, how would you</b></p> <p>24 <b>describe A.D. in school in terms of grades?</b></p>	<p style="text-align: right;">Page 80</p> <p>1 them ahead of time, so he can work on them, and</p> <p>2 just being in communication with his teachers</p> <p>3 more.</p> <p>4 <b>Q. Do you know if your dad and A.D. have</b></p> <p>5 <b>flown Frontier Airlines since this incident in</b></p> <p>6 <b>March of 2019?</b></p> <p>7 A. They have not.</p> <p>8 <b>Q. Have you ever flown Frontier Airlines?</b></p> <p>9 A. Yes.</p> <p>10 <b>Q. Have you flown Frontier Airlines since</b></p> <p>11 <b>this incident?</b></p> <p>12 A. No.</p> <p>13 MS. SHELKE: I believe that's all the</p> <p>14 questions I have, but Mr. McKay may have</p> <p>15 some questions for you.</p> <p>16 MR. McKAY: No, I don't have any</p> <p>17 questions.</p> <p>18 We will read and sign, though.</p> <p>19 MS. SHELKE: Okay.</p> <p>20 THE VIDEOGRAPHER: We are now off the</p> <p>21 record. The time is 9:39 a.m. This is the</p> <p>22 end of media unit number one, and the</p> <p>23 conclusion of the video deposition.</p> <p>24 MS. SHELKE: And I'm going to order an</p>
<p style="text-align: right;">Page 79</p> <p>1 A. I think he was more focused. I mean,</p> <p>2 he's always struggled with grades, I think</p> <p>3 because of the ADHD. But I think he was more</p> <p>4 focused, a little bit more driven to just do</p> <p>5 well in school. And then after the incident,</p> <p>6 it just kind of took a turn for the worse in</p> <p>7 terms of grades. So it took a lot on Dad's</p> <p>8 part to get him back where he was and just kind</p> <p>9 of get the flow of things back on track. I</p> <p>10 mean, I don't think our lives have ever been</p> <p>11 normal in aspect. So, you know, not having a</p> <p>12 normal life, but then trying to have a normal</p> <p>13 life, just everything we've been through, just</p> <p>14 to tack on one more thing that has happened,</p> <p>15 it's -- it's been a struggle.</p> <p>16 <b>Q. And when you said your dad has had to</b></p> <p>17 <b>do more things, what are some things that he</b></p> <p>18 <b>has had to do to get A.D. back on track with</b></p> <p>19 <b>respect to his grades?</b></p> <p>20 A. Sit down with him more. Keep him</p> <p>21 focused on the task at hand. Make sure he asks</p> <p>22 more questions about, "What tests do you have</p> <p>23 coming up? What homework do you have?"</p> <p>24 Emailing teachers about assignments, to get</p>	<p style="text-align: right;">Page 81</p> <p>1 etran and a PDF.</p> <p>2 (Deposition concluded at 9:39 a.m.)</p> <p>3 (Signature reserved.)</p> <p>4</p> <p>5</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>



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<p style="text-align: right;">Page 82</p> <p>1 REPORTER'S CERTIFICATE</p> <p>2 NORTH CAROLINA )</p> <p>3 WAKE COUNTY )</p> <p>4 I, Denise Y. Meek, a Court Reporter and</p> <p>5 Notary Public in and for the State of North Carolina,</p> <p>6 do hereby certify that there came before me on</p> <p>7 Monday, November 18, 2019, the person hereinbefore</p> <p>8 named, who was by me duly sworn to testify to the</p> <p>9 truth and nothing but the truth of her knowledge</p> <p>10 concerning the matters in controversy in this cause;</p> <p>11 that the witness was thereupon examined under oath,</p> <p>12 the examination reduced to typewriting under my</p> <p>13 direction, and the deposition is a true record of the</p> <p>14 testimony given by the witness.</p> <p>15 I further certify that I am neither attorney</p> <p>16 or counsel for, nor related to or employed by, any</p> <p>17 attorney or counsel employed by the parties hereto or</p> <p>18 financially interested in the action.</p> <p>19 IN WITNESS WHEREOF, I have hereto set my</p> <p>20 hand, this 26th day of November 2019.</p> <p>21</p> <p>22 </p> <p>23 DENISE Y. MEEK</p> <p>24 Court Reporter/Notary Public</p> <p>State of North Carolina</p> <p>COMMISSION: 201519500202</p> <p>EXPIRATION: July 8, 2020</p>	
<p style="text-align: right;">Page 83</p> <p>1 ERRATA SHEET</p> <p>2 CAPTION: Peter DelVecchia vs. Frontier Airlines</p> <p>3 JOB NO.: 855244</p> <p>4 I, the undersigned, GAYLE ANN DELVECCHIA, do</p> <p>5 hereby certify that I have read the foregoing</p> <p>6 deposition, and that, to the best of my knowledge,</p> <p>7 said deposition is true and accurate with the</p> <p>8 exception of the following corrections:</p> <p>9 PAGE LINE CORRECTION AND REASON THEREFOR</p> <p>10 : : _____</p> <p>11 : : _____</p> <p>12 : : _____</p> <p>13 : : _____</p> <p>14 : : _____</p> <p>15 : : _____</p> <p>16 : : _____</p> <p>17 : : _____</p> <p>18 : : _____</p> <p>19 : : _____</p> <p>20 : : _____</p> <p>21 : : _____</p> <p>22 : : _____</p> <p>23 : : _____</p> <p>24 Date _____ Gayle Ann DelVecchia</p>	

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